

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

DAVID SCOTT, et al.,

Plaintiffs

v.

FORMER WARDEN HERMAN QUAY, et al.,

Defendants

Civil Action No. 19 Civ. 1075

(Brodie, J.)  
(Gold, M.J.)

**ORDER FOR THE PRODUCTION OF INFORMATION CONCERNING INDIVIDUALS  
NO LONGER IN THE CUSTODY OF THE FEDERAL BUREAU OF PRISONS**

WHEREAS, Plaintiffs' counsel have sought to have the Federal Bureau of Prisons ("BOP") provide them with a list containing the names and self-reported addresses in BOP's records of individuals who were housed in the West Building of the Metropolitan Detention Center in Brooklyn, New York ("MDC") on all or some date(s) between January 27, 2019 and February 3, 2019, who were in the custody of the BOP as of March 16, 2020 and have since been released (the "Additional Address Information"); and

WHEREAS, Defendants object to the production of the Additional Address Information on the grounds that it is protected from disclosure by federal and state privacy laws and regulations, including but not limited to, the Privacy Act of 1974, 5 U.S.C. § 552a ("Privacy Act") and 28 C.F.R. § 513.34; and

WHEREAS, on September 22, 2020, the Court overruled Defendants' objections and ordered Defendants to produce the names and self-reported addresses of individuals who were housed at the MDC on all or some date(s) between January 27, 2019 and February 3, 2019, who were no longer in the custody of the BOP as of March 16, 2020; and

WHEREAS, on October 2, 2020, the Court entered a Stipulation and Order for the Protection of Materials and Information Concerning Individuals Who Are No Longer in the Custody of the Federal Bureau of Prisons (“Protective Order”), *see* ECF No. 83; and

WHEREAS, Defendants do not object to the release of the Additional Address Information subject to the terms of the Protective Order.

IT IS HEREBY ORDERED that the BOP and its employees are authorized pursuant to 5 U.S.C. § 552a(b)(11) to produce to Plaintiffs’ counsel, pursuant to the terms of the Protective Order, the Additional Address Information, information that would otherwise be protected from disclosure by the Privacy Act.

IT IS FURTHER ORDERED that Defendants must produce the Additional Address Information to Plaintiffs by December 14, 2020.

SO ORDERED:

*Steven M. Gold*      *12-09-2020*

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HONORABLE STEVEN M. GOLD  
UNITED STATES MAGISTRATE JUDGE